

APPEAL	Non-NABC+ Ten
Subject	Misexplanation and Unauthorized Information (UI)
DIC	Gary Zeiger
Event	Compact Knockout Teams
Session	First of Two
Date	July 29, 2009

BD#	<b>13</b>
VUL	<b>Both</b>
DLR	<b>North</b>

<b>906 Masterpoints</b>	
♠	K Q 5
♥	7
♦	K J 9 8 6 2
♣	A Q 5

<b>1,487 Masterpoints</b>		<b>Summer 2009 Washington D.C.</b>	<b>867 Masterpoints</b>	
♠	J T 9 7 2		♠	A
♥	A Q T 9 8		♥	K J 6 5
♦	T		♦	Q 5
♣	T 4		♣	J 9 8 6 3 2

<b>850 Masterpoints</b>	
♠	8 6 4 3
♥	4 3 2
♦	A 7 4 3
♣	K 7

West	North	East	South
	1♦	2♣	2♦
Dbl <sup>1</sup>	2NT	Pass	Pass
3♥	Pass	Pass	Pass

Final Contract	<b>3♥ by West</b>
Opening Lead	<b>♦8</b>
Table Result	<b>Made 4, E/W + 170</b>
Director Ruling	<b>3♦ N made 4, N/S + 130</b>
Panel Ruling	<b>3♦ N made 5, N/S + 150</b>

(1) Alerted and explained as a support double – actual agreement, a responsive double.

**The Facts:** The director was called before the opening lead and again after the play of the hand. North said there was misinformation concerning the meaning of the double. Had he, North, known that the double was responsive, he would have bid three or four diamonds over the double.

**The Ruling:** The director determined that there was a misexplanation that damaged N/S as North's calls were affected. Also, there was unauthorized information available to West that demonstrably suggested the call taken (3♥) over logical alternatives. Therefore per Laws 21B3, 16B3 and 12C1(e), the result was changed to 3♦ by North making four, N/S plus 130, for both sides.

**The Appeal:** E/W appealed the director's decision and were the only players at the hearing. Because of the lateness of the appeal (it was still timely), N/S had not been notified, but, since there was no new evidence, the hearing proceeded.

**The Decision:** The panel felt the decision to change the score was clear-cut. It also determined that if the 2NT and 3♥ calls were not made, that the available authorized information would have caused East to switch to a club after leading the spade ace. Therefore, the result was changed to 3♦ by North made five, N/S plus 150, for both sides. The panel discussed whether to impose an appeal without merit warning (AWMW). It decided not to for several reasons:

1. The appellants were rushed into the process.
2. The screener felt he had not adequately explained the applicable Laws.
3. The appellants would not have pursued the appeal if they had known that the ruling was irrelevant as to which two teams progressed from the round-robin.

**The Panel:** William Michael (Reviewer), Jay Albright and Charles MacCracken.

**Commentary:**

**Polisner** Good work by the panel.

**Rigal** I can live with no AWMW... just. Some good reasoning by the panel up to that point.

**Smith** I think the panel clearly made the correct decision, but the panel is not supposed to just blithely second guess the work of the directors in judgment cases. It is supposed to solicit and apply the opinions of peers to the law in making a decision. It is one thing for directors who are sometimes rushed with other duties occasionally not to have time to research a ruling with players. But I can't think of many good reasons why a panel should not do so. And as for merit, the panel apparently thought the ruling was so clear that it did not even need to talk to players. And it took a trick away from the appellants. By definition there had to be no merit regardless of other circumstances. The appellants presumably signed the form acknowledging that they knew the risks in appealing and chose to pursue it rather than reconsidering the merits of their appeal.

**Wildavsky** Nice work by the panel, improving an already good director ruling.

**Wolff** North's bidding judgment belongs in never, never land since West's purported "support double" should have propelled North to bid at least 4♦ since partner figured to have a singleton club. Ruling: E/W minus 150, N/S minus 170. Keep the candy store closed.